IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO.10 OF 2006

IN

APPEAL FROM ORDER NO.504 OF 2006

IN

SUIT NO.2498 OF 2006

Sine Fine Advertising Pvt.Ltd. ...Petitioners

Versus

Shri.Chandrababa Mandir Trust

& Ors. ...Respondents

.....

Mr.Balkrishna Joshi with Ms.Pushpa Diwan for Petitioners.

Mr.Surel Shah i/b M/s.M.M.Patel & Co. for Respondents 1 and 2.

.....

CORAM: A.M.KHANWILKAR, J.

SEPTEMBER 20, 2006.

P.C.

1. Heard Counsel for the parties. Although this Petition is filed as Review Petition, at the

hearing of the Petition, Counsel for the Petitioners/ original Respondents/ Plaintiffs submitted that the grievance will be confined to the observation made in Para 4 of my order dated July 17, 2006. It was submitted that the Court may clarify the order to the limited extent that the amount to be deposited by the Petitioners/original Respondents/Plaintiffs in terms of order dated 15th June 2005 passed by the Trial Court will be without prejudice to the rights and contentions of the Petitioners, which aspect will have to be resolved by the Trial Court in pending proceedings.

2. Counsel for the Respondents/original Petitioners/Defendant Nos.1 & 2, however, submits that the liability of the Plaintiffs to pay the amount as notified by the Trial Court in its order dated 15th June 2006 is indisputable. It is not necessary for me to go into that aspect at this stage. I am informed that the Notice of Motion is still pending before the Trial Court and will be heard on 25th September 2006.

3. Accordingly, the time specified in Para 4

of the order dated July 17, 2006 is extended for a period of one week from today. The Plaintiffs, through Counsel assures that the Plaintiffs will pay the specified amount to the Corporation within extended time. That assurance is accepted. Once again, it is made clear that the payments to be made by the Plaintiffs will be without prejudice to their rights and contentions to be answered in the pending proceedings before the Trial Court.

4. Petition disposed of in the above terms.

A.M.KHANWILKAR, J.